HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated Nainital the 16th February, 2006
Bail Application No. 778 of 2005

Order on the bail application of the accused.

CRIMINAL SIDE

1. Veer Pal @ Billu
   S/o Sri Sukhbir
   R/o Awas Vikas Colony, Haridwar

2. Nirmal Kumar
   S/o Sri Ishwar Das
   R/o Braham Puri, Haridwar ..... Applicant

Versus

State of Uttaranchal ..... Opposite Party

In Case Crime No. 521 of 2005
U/s 420, 467, 468, 471 I.P.C.
Police Station Kotwali Haridwar
District – Haridwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Pankaj Miglani, learned counsel for the applicants, learned AGA for the State and perused the record.

The counter affidavit reveals that the statement of Lakhan Kumar and Sakuntala Devi have been recorded u/s 161 Cr.P.C. as has been mentioned in para 7 of the counter affidavit. It was contended that no forged receipts have been collected from the complainant and no statement of the complainant have been recorded. The affidavit filed by the respondent does not reveal that the said papers have been taken or the statement of the complainant have been recorded.

The F.I.R. was lodged on 12.07.2005 and the accused was arrested on 15th July, 2005 and thereafter on 20th September, 2005 affidavit was filed. The case is triable by the Magistrate.

Considering the facts and circumstance of the case in totality, it is a fit case for bail.

Let the applicant-accused, Veer Pal and Nirmal Kumar be released on bail on furnishing each a personal bond and two sureties each in the like amount to the satisfaction of the CJM concerned.

(J.C.S. Rawat, J.)

Dated 16.02.2006
Shiv